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**TO:** U.S. Patent & Trademark Office

**ATT'N:** Brian Yong S. Kwon - Examiner, Art Unit No. 1614

**FAX NO.:** 703-872-9306 **TEL No.:** 571-272-0581

**FROM:** Anita Nador

**DATE:** August 12, 2004 **PAGES:** 6  
(Including cover sheet)

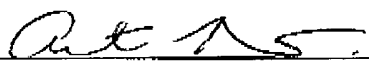
**File No.:** 6704-268  
**Lawyer No.:** 217

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**Re: ADAMSON et al.**  
**Serial No. 09/926,167**  
**Filed: January 8, 2002**  
**For: Hemoglobin-Antioxidant Conjugates**  
**Docket Number: 6704-268**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the attached cover letter, Notice of Appeal (2 copies) and Petition for 3-month Extension of Time to reply to the office action mailed February 12, 2004 and Advisory Action mailed July 6, 2004 (2 copies) are being facsimile transmitted to the U.S. Patent & Trademark Office on the date shown below

  
Anita Nador  
Registration No. 47,366

August 12, 2004  
Date

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INTELLECTUAL PROPERTY LAWIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ADAMSON et al

Atty. Ref.: 6704-268

Serial No. 09/926,167

Group: 1614

Filed: January 8, 2002

Examiner: Kwon, Brian Yong S

For: Hemoglobin-Antioxidant Conjugates

\* \* \* \* \*

August 12, 2004

Assistant Commissioner for Patents  
Washington, DC 20231Notice of Appeal and Petition For Extension of Time

Sir:

Please find enclosed Two (2) copies of the Notice of Appeal, appealing the decision of the Examiner of February 12, 2004 and the advisory action dated July 6, 2004 of twice rejected claims 1-4, 7,8, 10-24, and 36-45 and twice objected to claims 36-41. Two (2) copies of a Petition For Extension of Time Under 37 CFR 1.136 (a) are also enclosed. The Directors is hereby authorized to charge any fees that may be required (including any notice of appeal and extension of time fees) or credit any overpayment, to Bereskin & Parr's Deposit Account Number 022095.

Respectfully submitted,

ADAMSON et al.

By: Anita Nador, Bereskin & Parr  
Reg. No. 47,366*Please send all correspondence to the Toronto office:*Scotia Plaza, 40 King St. West, 40th Floor,  
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PTO/SB/31 (06-04)

Approved for use through 07/31/2006. OMB 0851-0031

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 6704-268				
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.  Signature _____  Typed or printed name <u>Anita Nador</u>	In re Application of ADAMSON et al. <hr/> <table style="width:100%;"> <tr> <td style="width:50%;">Application Number 09/926,167</td> <td style="width:50%;">Filed January 8, 2002</td> </tr> </table> <hr/> For Hemoglobin-Antioxidant Conjugates <hr/> <table style="width:100%;"> <tr> <td style="width:50%;">Art Unit 1614</td> <td style="width:50%;">Examiner Kwon, Brian Yong S</td> </tr> </table>		Application Number 09/926,167	Filed January 8, 2002	Art Unit 1614	Examiner Kwon, Brian Yong S
Application Number 09/926,167	Filed January 8, 2002					
Art Unit 1614	Examiner Kwon, Brian Yong S					
Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the decision of the examiner.  The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ <u>330.00</u></span>  <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ <u>165.00</u></span>  <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2095</u> . I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.  <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>  I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>47 388</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____						
Signature _____ Anita Nador Typed or printed name  (416)-364-7311 Telephone number  August 12, 2004 Date						
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below".						

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

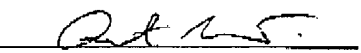
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PTO/SB/31 (06-04)

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		Application Number 09/928,167	Filed January 8, 2002
Signature _____		For Hemoglobin-Antioxidant Conjugates	
Typed or printed name Anita Nador		Art Unit 1614	Examiner Kwon, Brian Yong S
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))			
		\$ 330.00.	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ 165.00.	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
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I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Anita Nador	
		Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 47,386		(416)-364-7311	
		Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		August 12, 2004	
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